

AGENDA



Thursday, July 27, 2006

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**Zoning Ordinances / Restrictive Covenants
(HEARINGS CLOSED)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 116

Subject: C14-06-0091 - 5701 Riverside Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5701 E. Riverside Drive (Country Club Creek Watershed) from limited office (LO) district zoning to limited office-mixed use-conditoinal overlay (LO-MU-CO) combining district zoning. First reading approved on June 22, 2006. Vote: 7-0. Applicant: BRTS Joint Ventures (H.C. Bell). Agent: David Armbrust. City Staff: Robert Heil, 974-2330.

**Additional Backup
Material**

(click to open)

 [Staff Report](#)

For More Information: Robert Heil, 974-2330.

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-06-0091 - 5701 Riverside Drive -

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5701 E. Riverside Drive (Country Club Creek Watershed) from limited office (LO) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning.

DEPARTMENT COMMENTS:

This case is related to C14-06-0090.

The site is currently zoned LO and is undeveloped. Northwest and north of the property is an existing single family neighborhood on PUD and SF-3 zoned land, as well as undeveloped LR-MU-CO and SF-1 properties. To the west of the subject tract is a related undeveloped tract also zoned LO. To the southwest of the property is an existing elementary school. Directly south is and east are undeveloped properties zoned for industrial use.

The project is part of the East Riverside / Oltorf Combined Neighborhood Planning Area. The Planning Commission approved Future Land Use Map calls for mixed use on this site.

OWNER: BRTS Joint Ventures (H.C. Bell).

AGENT: David Armbrust

DATE OF FIRST READING: June 22, 2006 Approved staff's recommendation of LO-MU-CO on first reading on consent (7-0)

PLANNING COMMISSION ACTION: June 13, 2006: Approved staff's recommendation of LO-MU-CO on consent 8-0.

CITY COUNCIL ACTION: July 27, 2006

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, e-mail: robert.heil@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0091

PC Date: May 23, 2006

ADDRESS: 5701 Riverside Drive

OWNER/APPLICANT: BRTS Joint Ventures (H.C. Bell)

AGENT: David Armbrust

ZONING FROM: LO

TO: LO-MU-CO

AREA: 14.755 acres

SUMMARY STAFF RECOMMENDATION:

Staffs recommends approval of the amended request to LO-MU-CO. The conditional overlay would:

- Limit daily vehicle trips to a maximum of 2000
- Along the east property line require a vegetated buffer of 50'.
- Along the south property line require a vegetated buffer of 25' and an additional 25' feet with no structures other than parking structures.

PLANNING COMMISSION RECOMMENDATION:

May 23, 2006: Postponed to June 13 by Commission

June 13, 2006: Approved staff's recommendation of LO-MU-CO on consent 8-0.

DEPARTMENT COMMENTS:

The site is currently zoned LO and is undeveloped.

The site is currently zoned LO and is undeveloped. Northwest and north of the property is an existing single family neighborhood on PUD and SF-3 zoned land, as well as undeveloped LR-MU-CO and SF-1 properties. To the west of the subject tract is a related undeveloped tract also zoned LO To the southwest of the property is an existing elementary school. Directly south is and east are undeveloped properties zoned for industrial use.

LO zoning on the subject tract would provide an appropriate transition between the higher intensity uses to the east and less intense uses to the west. Mixed Use, which would allow for residential uses would generally be not appropriate for the site due to the proximity of the industrial zoning to the south and east. However, the amended request provides for a sufficient buffer to the industrially zoned, vacant tracts.

The project is part of the East Riverside / Oltorf Combined Neighborhood Planning Area. The Planning Commission approved Future Land Use Map calls for mixed use on this site.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Undeveloped
<i>North</i>	LR-MU-CO, SF-1, SF-3	Single Family Residence and Undeveloped
<i>South</i>	LO, IP and LI	Elementary School and Undeveloped Industrial
<i>East</i>	LI	Undeveloped
<i>West</i>	LO	Undeveloped

AREA STUDY: Pleasant Valley Neighborhood Planning Area **TIA:** N/A

WATERSHED: Country Club Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Southeast Austin Neighborhood Alliance (189)
- Crossing Garden Home Owners Association (299)
- Terrell Lane Interceptor Association (300)
- Barton Springs / Edwards Aquifer Conservation District (428)
- Austin Neighborhoods Council (411)
- Montopolis Area Neighborhood Alliance (634)
- Riverside Farms Road Neighborhood Association (934)
- P.O.D.E.R. (People Organized in Defense of Earth and her Resources (972)

SCHOOLS: (AISD)

Allison Elementary School Martin Middle School Johnston High School

CASE HISTORIES:

There is an application on the adjacent property at 5701 E. Riverside Drive, from LO to LO-MU-CO, Case C14-06-0090. Staff recommends LO-MU-CO on that site.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
E. Riverside Dr.	134'	Varies	Major Arterial	Yes	# 26	# 60

C14-06-0091

CITY COUNCIL DATE: **ACTION:**

June 22, 2006: **Approved staff's recommendation of LO-MU-CO on
consent (7-0)**

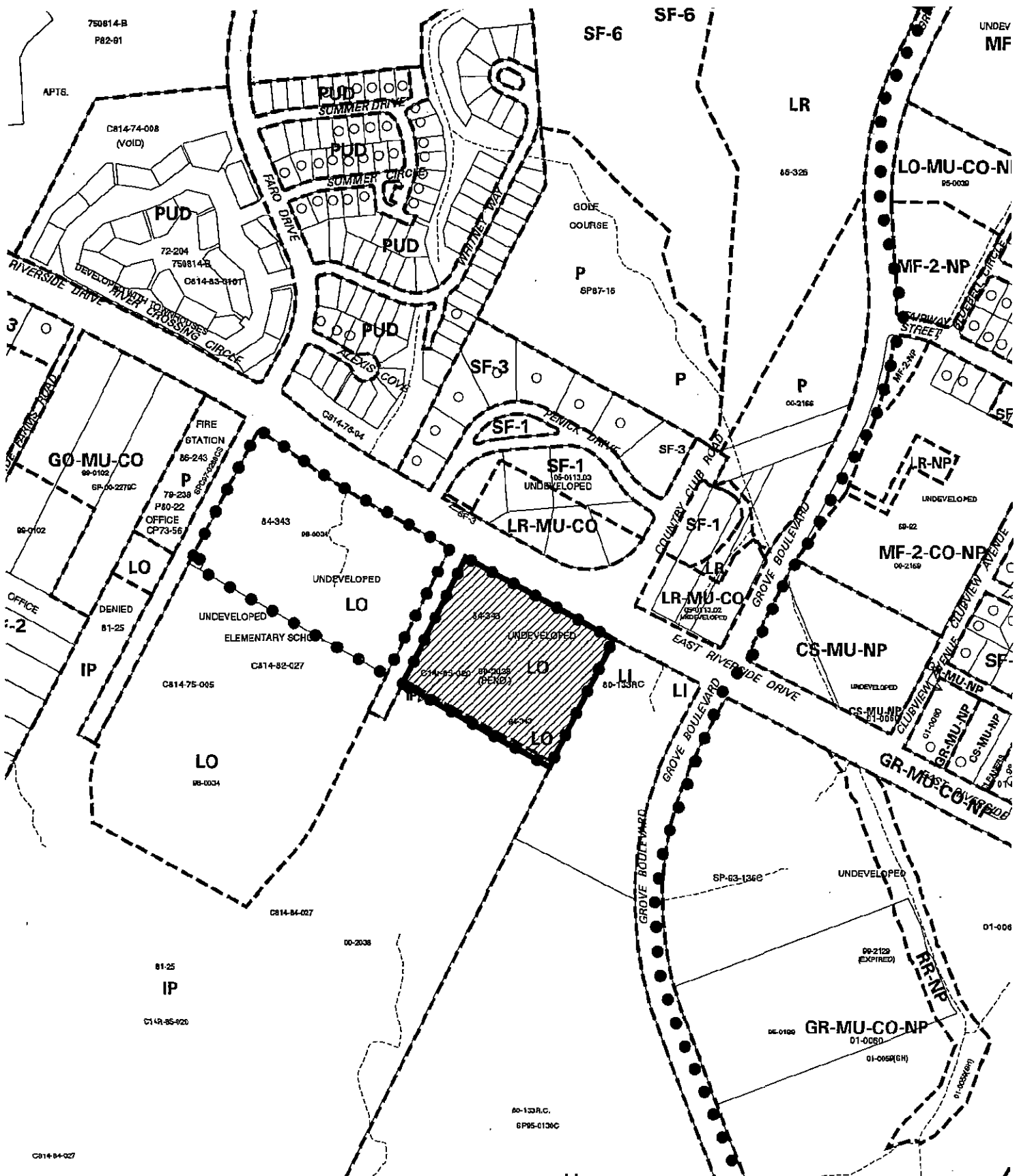
July 27, 2006:


ORDINANCE READINGS: 1st 6/22/06 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330



 1" = 400'	<p>SUBJECT TRACT</p> <p>PENDING CASE</p> <p>ZONING BOUNDARY</p> <p>CASE MGR: R.HEIL</p>	<p style="text-align: center;">ZONING</p> <p>CASE #: C14-06-0091</p> <p>ADDRESS: 5701 E RIVERSIDE DR</p> <p>SUBJECT AREA (acres): 6.319</p> <p>DATE: 06-07</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>K19</p>
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An aerial photograph of a residential area. The image is in black and white, showing a mix of trees, roads, and buildings. Two white rectangular labels with black text are overlaid on the image. The label on the left points to a property, and the label on the right points to another property. The background shows a winding road, a large building, and various smaller structures and trees.

C14-06-0090
5401 E Riverside

C14-06-0091
5701 E Riverside

SUMMARY STAFF RECOMMENDATION

Staffs recommends approval of the amended request to LO-MU-CO. The conditional overlay would:

- Limit daily vehicle trips to a maximum of 2000
- Along the east property line require a vegetated buffer of 50'.
- Along the south property line require a vegetated buffer of 25' and an additional 25' feet with no structures other than parking structures.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses and development intensities.*

LO zoning on the subject tract is appropriate on the site, located on a major arterial. The property would also be appropriate for a higher office or commercial zoning category. Mixed Use, which would allow for residential uses would generally be not appropriate for the site due to the proximity of the industrial zoning to the south and east. However, the amended request provides for a sufficient buffer to the industrially zoned, vacant tracts.

2. *Zoning should be consistent with an adopted study or neighborhood plan.*

The East Riverside neighborhood plan draft land use plan calls for this property to remain as an "Office" land use. However, that plan has yet to be adopted and is still under discussion

EXISTING CONDITIONS

Site Characteristics

The site is currently zoned LO and is undeveloped.

The site is currently zoned LO and is undeveloped. Northwest and north of the property is an existing single family neighborhood on PUD and SF-3 zoned land, as well as undeveloped LR-MU-CO and SF-1 properties. To the west of the subject tract is a related undeveloped tract also zoned LO To the southwest of the property is an existing elementary school. Directly south is and east are undeveloped properties zoned for industrial use.

Site Plan

This site is located on a Scenic Roadway, E. Riverside Dr.

- The site is subject to compatibility standards. Along the north property line, the following standards apply:
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the SF-3 property line.

- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Riverside Drive is a scenic roadway. Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 200 feet of right-of-way for Riverside Drive. Additional ROW dedication will be required during the subdivision or site plan process. [LDC, Sec. 25-6-51 and 25-6-55)

The trip generation under the requested zoning is estimated to be 15,076 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
E. Riverside Dr.	130'	2 @ 28'	Major Arterial	Yes	# 26	# 60

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria and specifications.

The landowner must pay all required water and wastewater utility tap permit, impact, construction inspection, and utility plan review fees.

Environmental

1. The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Country Club Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

2. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
3. At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
4. Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:
 - Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.
5. At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.